

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-16 and 21-24 were rejected. No claims have been amended, and no new matter has been added. Accordingly, Claims 1-16 and 21-24 will be pending in the present application upon entry of this Amendment and Reply.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

**Claim Rejections – 35 U.S.C. § 103**

On page 2 of the Office Action, Claims 1-16 and 21-24 were rejected as being unpatentable over U.S. Patent No. 6,855,583 to Krivokapic et al.

The Applicants respectfully traverse this rejection, since Krivokapic et al. is not available as a prior art reference under 35 U.S.C. § 103(a). As noted in 35 U.S.C. § 103(c):

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The present application is assigned to Advanced Micro Devices, Inc., as evidenced by an assignment recorded in the records of the U.S. Patent and Trademark Office at Reel/Frame No. 014897/0007. Krivokapic et al. is also assigned to Advanced Micro Devices, Inc., as evidenced by an assignment recorded in the records of the U.S. Patent and Trademark Office at Reel/Frame No. 014369/0843.

The present application was filed on January 12, 2004. Krivokapic et al. issued on February 15, 2005 based on an application filed on August 5, 2003. Accordingly, Krivokapic et al. would only be available as a prior art reference under 35 U.S.C. § 102(e).

Accordingly, because Krivokapic et al. qualifies as prior art only under 35 U.S.C. § 102(e) and both Krivokapic et al. and the present application were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person, Krivokapic et al. is not available as a prior art reference under 35 U.S.C. § 103(a) against the claims of the present application.

Reconsideration and withdrawal of the rejection of Claims 1-16 and 21-24 is therefore respectfully requested.

\* \* \*

It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. The Applicants request consideration and allowance of all pending claims.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 2/22/06

By 

FOLEY & LARDNER LLP  
Customer Number: 34083  
Telephone: (313) 234-7150  
Facsimile: (313) 234-2800

Marcus W. Sprow  
Attorney for Applicants  
Registration No. 48,580